

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ESTATE OF ERLINDA URSUA, )  
LORENZO URSUA, individually )  
and as Executor for the )  
ESTATE OF ERLINDA URSUA, )  
ROXANNE BAUTISTA and RHODORA )  
URSUA, )

Plaintiff(s), )

v. )

ALAMEDA COUNTY MEDICAL )  
CENTER, et al., )

Defendant(s). )  
\_\_\_\_\_ )

No. C 04-3006 BZ

**ORDER RE: HEARING ON  
DEFENDANTS' MOTIONS FOR  
SUMMARY JUDGMENT**

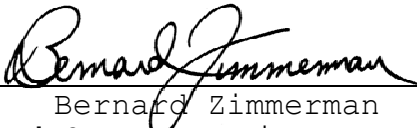
At the hearing on defendants' motions for summary  
judgment scheduled for October 26, 2005, at 10:00 a.m., **IT IS  
HEREBY ORDERED:**

1. Plaintiff and Alameda County Medical Center should  
be prepared to discuss whether a failure to act can  
cause or contribute to the creation of a dangerous  
condition within the meaning of L.W. v. Grubbs, 92 F.3d  
894, 900 (9th Cir. 1996).

2. Plaintiff and the County of Alameda should be prepared to address whether the design immunity defense requires that there be "substantial evidence" specifically regarding the location and design of Room B18/1319.

Parties may submit any further authority by letter brief citing to specific cases by **October 25, 2005**, at **noon**.

Dated: October 21, 2005

  
Bernard Zimmerman  
United States Magistrate Judge

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